



Rep. Elizabeth Hernandez

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LRB097 09678 KTG 53178 a

1 AMENDMENT TO HOUSE BILL 3467

2 AMENDMENT NO. _____. Amend House Bill 3467 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Human Services Act is amended
5 by changing Section 10-25 as follows:

6 (20 ILCS 1305/10-25)

7 Sec. 10-25. Women, Infants, and Children Nutrition
8 Program.

9 (a) The Department shall participate in the Women, Infants
10 and Children Nutrition program of the federal government to the
11 maximum extent permitted by the federal appropriation and
12 allocation to the State of Illinois. The Department shall
13 report quarterly to the Governor and the General Assembly the
14 status of obligations and expenditures of the WIC nutrition
15 program appropriation and make recommendations on actions
16 necessary to expend all available federal funds. Other

1 appropriations and funds from any public or private source in
2 addition to federal funds may be used by the Department for the
3 purpose of maximum participation in the WIC nutrition program.

4 (b) The Department shall maintain a drug abuse education
5 program for participants in the Women, Infants and Children
6 Nutrition Program. The program shall include but need not be
7 limited to (1) the provision of information concerning the
8 dangers of drug abuse and (2) the referral of participants who
9 are suspected drug abusers to drug abuse clinics, treatment
10 programs, counselors or other drug abuse treatment providers.

11 (c) The Department shall cooperate with the Department of
12 Public Health for purposes of the smoking cessation program for
13 participants in the Women, Infants and Children Nutrition
14 Program maintained by the Department of Public Health under
15 Section 2310-435 of the Department of Public Health Powers and
16 Duties Law (20 ILCS 2310/2310-435).

17 (d) The Department may contract with any bank as defined by
18 the Illinois Banking Act to redeem bank drafts issued by the
19 Department under the United States Department of Agriculture
20 Special Supplemental Food Program for Women, Infants and
21 Children (WIC). Any bank with which the Department has entered
22 into a contract to redeem bank drafts may receive, pursuant to
23 an appropriation to the Department, an initial advance and
24 periodic payment of funds for the Women, Infants and Children
25 Program in amounts determined by the Secretary.
26 Notwithstanding any other law, such funds shall be retained in

1 a separate account by the bank. Any interest earned by monies
2 in such account shall accrue to the USDA Women, Infants and
3 Children Fund and shall be used exclusively for the redemption
4 of bank drafts issued by the Department. WIC program food funds
5 received by the bank from the Department shall be used
6 exclusively for the redemption of bank drafts. The bank shall
7 not use such food funds, or interest accrued thereon, for any
8 other purpose including, but not limited to, reimbursement of
9 administrative expenses or payments of administrative fees due
10 the bank pursuant to its contract or contracts with the
11 Department.

12 Such initial and periodic payments by the Department to the
13 bank shall be effected, pursuant to an appropriation, in an
14 amount needed for the redemption of bank drafts issued by the
15 Department under the United States Department of Agriculture
16 Special Supplemental Food Program for Women, Infants and
17 Children in any initial or succeeding period. The State
18 Comptroller shall, upon presentation by the Secretary of
19 adequate certification of funds needed for redemption of bank
20 drafts, promptly draw a warrant payable to the bank for deposit
21 to the separate account of the bank. Such certification may be
22 in magnetic tape or computer output form, indicating the amount
23 of the total payment made by the bank for the redemption of
24 bank drafts from funds provided to the bank under this Section.

25 The separate account of the bank established under this
26 Section, any payments to that account, and the use of such

1 account and funds shall be subject to (1) audit by the
2 Department or a private contractor authorized by the Department
3 to conduct audits, including but not limited to such audits as
4 may be required by State law, (2) audit by the federal
5 government or a private contractor authorized by the federal
6 government, and (3) post audit pursuant to the Illinois State
7 Auditing Act.

8 (e) The Department may include a program of lactation
9 support services as part of the benefits and services provided
10 for pregnant and breast feeding participants in the Women,
11 Infants and Children Nutrition Program. The program may include
12 payment for breast pumps, breast shields, or any supply deemed
13 essential for the successful maintenance of lactation, as well
14 as lactation specialists who are registered nurses, licensed
15 dietitians, or persons who have successfully completed a
16 lactation management training program.

17 (f) The Department shall coordinate the operation of the
18 Women, Infants and Children program with the Medicaid program
19 by interagency agreement whereby each program provides
20 information about the services offered by the other to
21 applicants for services.

22 (g) On February 2, 2013, the Department shall ensure that
23 the infant formula provided to participants under the Women,
24 Infants, and Children Nutrition Program is packaged in
25 containers which do not contain the chemical bisphenol A (BPA).
26 The Department may suspend implementation of this subsection

1 until the Department enters a new contract period equaling 5
2 years for any type of infant formula provided by the Program,
3 if both of the following occur:

4 (1) The Department determines that implementation of
5 this subsection would (i) decrease the availability of
6 infant formula to participants of the Program; or (ii)
7 cause an unacceptable fiscal impact to the State.

8 (2) The Department publishes a notice of suspension in
9 the Illinois Register.

10 (Source: P.A. 90-290, eff. 1-1-98; 91-239, eff. 1-1-00.)".